

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:05 CR 3039
	)	
v.	)	
	)	
	)	
THOMAS E. MILLER,	)	MEMORANDUM AND ORDER
	)	
Defendant.	)	

On April 27, 2005 I entered an order scheduling a hearing this date to address the defendant's obtaining the services of counsel. The court is now advised that because the clerk's office did not have an address to which to send that order, it was not mailed, and the defendant is not on the CM/ECF system to receive court documents by email.

IT THEREFORE HEREBY IS ORDERED:

1. Defendant shall on or before May 17, 2005 obtain the services of an attorney to represent him in this case and have that attorney file an appearance in this case.
2. If no attorney has filed an appearance by said date, the defendant shall appear at a hearing to determine if the defendant should be permitted to represent himself, with or without standby counsel. Such hearing, if necessary, shall commence at 10:00 a.m. on May 19, 2005 before the undersigned in Courtroom 2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.
3. The government is relieved of the necessity of serving Rule 16 discovery as provided in NECrimR 16.1 until May 31, 2005 or until an attorney for defendant has entered his or her appearance in this case, whichever is sooner.

4. The clerk shall notify the defendant of the entry of this order

a. By telephone call to him today; AND

b. By first class mail, postage prepaid, posted on this date;

and shall make a written record to the effect that such notice has been given, setting forth the details of time, phone number called, address, and where posted.

DATED May 11, 2005

BY THE COURT:

s/ *David L. Piester*  
United States Magistrate Judge